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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-third session

SUMMARY RECORD OF THE 478th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 October 1992, at 10 a.m.

Chairman: Mr. J.A. LANUS (Argentina)

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Review of UNHCR programmes financed by voluntary funds in 1991-1992; adoption of the 1993 General Programmes and Budget

Status of contribution and overall financial requirements for 1992 and 1993

Administration and management

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Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.92-02916 (E)

The meeting was called to order at 10.20 a.m.

REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1991-1992; ADOPTION OF THE 1993 GENERAL PROGRAMMES AND BUDGET

STATUS OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1992 AND 1993

ADMINISTRATION AND MANAGEMENT

(agenda item 5) (A/AC.96/793, Parts I to II, A/AC.96/798, A/AC.96/795, A/AC.96/SC.2/CRP.18 and Add.1, A/AC.96/786, A/AC.96/787 and Corr.1 and Add.1 and A/AC.96/803)

Introductory remarks of the Deputy High Commissioner

1. Mr. STAFFORD (Deputy High Commissioner) said that agenda item 5 gave the Executive Committee an opportunity to consider, as a whole, the programme and funding of UNHCR. The report of the Sub-committee on Administrative and Financial Matters (A/AC.96/803) illustrated the quality of the guidelines with which it had provided the Executive Committee concerning finance, administration and human resources.

2. The major item before the Executive Committee at its present session concerned the approval of the 1993 General Programmes target amounting to $378,249,000. Some delegations had wondered whether the proposed target was realistic. Others had raised questions about the right mix of general and special programmes. A proposal had also been made to increase the Programme Reserve and other contingency mechanisms, and the Sub-Committee might wish to address those questions at its inter-sessional meetings.

3. In his statement to the Sub-Committee, he had said that UNHCR was determined to be a responsible steward of the resources placed at its disposal. That implied ensuring that financial procedures and controls were in place and were respected by staff and Governments. However, those efforts to strengthen financial accountability must be matched by improvements in programme delivery. The Executive Committee's work and decisions in that connection were encouraging.

4. Furthermore, the guidelines adopted by the Executive Committee for refugee women and children would certainly be reflected adequately in UNHCR programmes. With respect to its human resources policy, UNHCR must, as the High Commissioner had said, put into place a human resources strategy that reflected not only the needs of refugees but also those of a dedicated staff.

5. Lastly, he expressed sincere thanks to donors for their exceptional support and confidence. He also thanked countries which had hosted large numbers of refugees and also expressed gratitude to the implementing partners, especially the non-governmental organizations and other United Nations bodies, for their contributions.

Adoption of the report of the Sub-Committee on Administrative and Financial Matters (A/AC.96/803)

6. The CHAIRMAN said that, if he heard no objections, he would consider that the report of the Sub-Committee on Administrative and Financial Matters was adopted.

It was so decided.

Review of UNHCR programmes financed by voluntary funds in 1991-1992; adoption of the 1993 General Programmes and budget (A/AC.96/793, Parts I to VI)

7. The CHAIRMAN invited delegations to present their general observations on the agenda item.

8. Mr. LARSEN (Denmark) noted that, since present circumstances and the international community had dictated a greatly expanded level of activity, it should not be surprising that UNHCR had passed the "one billion dollar mark".

9. The Executive Committee had rightly devoted much attention to the problems of mass movements of people and their consequences. Since they raised the question of emergencies, it was reassuring to see that the intentions outlined in the Executive Committee the previous year had become operational realities. However, more work on capacity-building was necessary and there was a need to improve UNHCR's own ability to mobilize and release internal resources for emergency operations, notwithstanding the constraints of the present staffing situation. On the question of repatriation, reintegration and development, the international community must endeavour to achieve greater coherence between international humanitarian aid mechanisms and international development machinery. Regardless at what level international intervention took place, namely that of UNHCR, an important aim should be to integrate humanitarian action with efforts to resolve the underlying causes of crises and to build bridges between relief, rehabilitation and, ultimately, development. If that was to be achieved, the various agents must adopt a positive attitude and act in a spirit of partnership in the context of a division of labour, both within the United Nations system as well as at the level of assisted countries and donor countries. He agreed with the High Commissioner about the importance of applying the lead agency concept to operational coordination in complex emergencies such as those in the former Yugoslavia and Somalia.

10. It went without saying that the burden of financing should be borne equitably and that many wealthy countries could and should contribute more so that UNHCR could accomplish the tasks entrusted to it by the international community. In that connection he announced that Denmark expected in the very near future to be able to contribute a further DKr 56 million, equivalent to over US$ 10 million, to programmes for Mozambican, Somali and Afghan refugees as well as to programmes in the former Yugoslavia. That additional amount would bring the planned Danish 1992 contribution to over US$ 36 million.

11. Referring to the level of General Programmes financing, he regretted that the Executive Committee had been unable at its present session to reach agreement on an upwards adjustment to US$ 408 million for the 1993 General Programmes.

12. Mr. MACRIS (Cyprus) said that Cyprus had been the first country after the Second World War to suffer from the devastating consequences of ethnic cleansing, since a much stronger neighbour had imposed that practice on the Cypriot people. The UNHCR programme in Cyprus, which continued to be fully financed by the United States, had been outlined in the relevant report prepared by UNHCR. However, his Government remained convinced that the natural and more desirable solution to the refugee problem was repatriation under conditions of safety. The specific problem of displaced persons in Cyprus called for the application of United Nations resolutions and of the principles embodied in human rights instruments. However, as stated by the Secretary-General in his report of 21 August 1992 to the Security Council, the conditions and exceptions put forward by the other side in order to implement those principles were equivalent to denying the displaced persons the right to return home and the right to property.

13. His Government had spared no effort in its quest for a just and viable solution to the Cyprus problem. It was to be hoped that the Turkish side would finally decide to participate in the next round of negotiations to begin in New York on 26 October 1992 and that it would at last take the political decision to contribute to an equitable and final solution to the problem.

14. Mr. SAENS CARRETE (Observer for Mexico), referring to part IV of document A/AC.96/793, said he wished to make a number of observations concerning the situation in Mexico.

15. It would be well if future reports of that kind described the indirect contribution made by asylum countries to refugee activities, since what they were doing was not always easy to quantify. That was true, for example, of their efforts on behalf of displaced populations in respect of health, education and natural resources.

16. He also pointed out that the figures communicated by Mexico to the International Conference on Central American Refugees (CIREFCA) in 1989 were not necessarily official, contrary to what was stated in paragraph 4.5.5 of the report.

17. Moreover, a number of UNHCR Headquarters' experts had, in 1992, visited the country to study the water requirements of refugee establishments. It would be well if the conclusions reached in their report, namely, those concerning the reorganization of water supply systems, could include an estimate of the cost of such reorganization should it have budgetary implications.

18. He noted that, according to paragraph 4.5.6 of the report, "retroactive registration [of births] in Chiapas ... will require the allocation of additional resources by the civil registry authorities". That wording might

suggest that the procedure was being held up, whereas registration was going ahead in step with the compilation of data, which depended to a great extent on the cooperation of the refugee population.

19. Commenting on what was said in paragraph 4.5.18 of the report, he said that reference could have been made to the projects being carried out to improve health programmes and school infrastructure. The relevant budgets had been reduced considerably in comparison with 1991, but the cuts had been necessary.

20. He welcomed the close cooperation established between UNHCR and the Mexican Commission for Refugee Assistance (COMAR) of which he was the General Coordinator.

21. Mr. BENHIMA (Morocco) said it was gratifying that the improvement of UNHCR's financial situation had had the effect of restoring balance and absorbing previous deficits, despite an increase in requirements due to larger numbers of refugees. That was clear from the budgetary estimates for the 1993 General Programmes, which had remained at the 1992 level. His delegation considered that the expansion of various programme elements was an approach that should be supported; indeed, the increase in allocations under the Emergency Fund, in the General Allocation for Voluntary Repatriation and in the Programme Reserve constituted effective means of tackling unforeseen developments.

22. Unfortunately the African continent, which had suffered so many tragedies, was allocated a comparatively modest amount for the next financial year. It was desirable that UNHCR, in view of its key role in humanitarian relief operations, should continue to show unflagging interest in that continent in the context of inter-institutional cooperation, and in particular cooperation with the Department of Humanitarian Affairs. For example, the assignment of qualified field staff should be encouraged, and more equitable geographical distribution based on competence, motivation and integrity was also desirable.

23. The improvement of UNHCR's programme evaluation systems and procedures ensured that its activities were effective and worthwhile. In that connection, he referred to Part VI of document A/AC.96/793 and specifically the paragraph devoted to refugees called "Sahraouis". The figure of 165,000 mentioned was unacceptable since it was exaggerated, as had been emphasized on many occasions. According to the very generous estimates of the United Nations Mission for the Referendum in Western Sahara, their number, including children, was not over 65,000. Moreover, the figure of 165,000 had never been confirmed by UNHCR. He also noted that information received from former senior officials of Polisario alleged misappropriation of humanitarian assistance; regardless whether it was provided by UNHCR, Governments or NGOs, a large proportion of that assistance ended up as contraband and enriched the leaders of Polisario. Donors should monitor the use and destination of their assistance as a matter of urgency.

24. Mr. LACROIX (Belgium) said that the tragic events taking place in the former Yugoslavia and in Somalia revealed how important it was that the international community should be able to count on an organization such as

UNHCR. In 1992 Belgium would make a contribution of BF 14 million to ad hoc programmes, some of which were yet to be drawn up, and intended to earmark the same amount under the 1993 budget.

25. As regards the former Yugoslavia, Belgium had taken certain initiatives likely to assist UNHCR in its quest for short-term solutions to the problem of assisting the most disadvantaged. For example, it was participating in the establishment of an airlift between Zagreb and Sarajevo under UNHCR auspices and had contributed to the purchase and transport of the medical and food aid being supplied by UNHCR. It had also decided to contribute to the establishment of a winter camp for refugees in Croatia in the amount of BF 60 million. Other activities included the provisional acceptance of Croat children in Belgium and the granting of special temporary status to those who, fleeing the combat zones, had sought refuge in Belgium.

26. Mr. JURY (United States of America) said that his delegation had already, in the Sub-Committee on Administrative and Financial Matters, welcomed the statements of the High Commissioner and Deputy High Commissioner concerning the improvement of programming, particularly on behalf of women and children; it was understood that that work would be continued at the Sub-Committee's inter-sessional meetings. On the other hand, his delegation, like that of Denmark, regretted that the General Programmes budget would not be increased at the present session. The present budget was inadequate to meet 1993 requirements, particularly in Africa. The United States, which was the largest donor, considered that an increase in that level of financing would make the General Programmes more flexible and enable their requirements and objectives to be met to a greater extent. He therefore endorsed the Danish representative's observations as well as those of the Swedish representative, and hoped that the question would be taken up once again in the Sub-Committee on Administrative and Financial Matters with a view to the speedy adoption of a decision.

27. Mr. SEMICHI (Algeria), replying to the Moroccan representative who had challenged the figure of 165,000 Sahraoui refugees in Algerian territory, said that it was an estimate arrived at by the Algerian authorities; UNHCR assisted only 85,000 of that number. Discussion of the figure of 165,000 refugees was not really the concern of UNHCR which, it was to be hoped, could maintain its present level of assistance pending the adoption of political solutions as rapidly as possible.

28. Mrs. LUND (Norway) endorsed the views of the Danish delegation concerning the financing of the 1993 General Programmes. She hoped that the matter would be discussed at the first inter-sessional meeting of the Sub-Committee on Administrative and Financial Matters.

29. Mrs. BERGSTROM (Finland) said that, like the Danish, United States and Norwegian delegations, her own delegation regretted that the General Programmes budget had not been increased.

30. Mr. PINELL (Nicaragua) said that the draft resolution concerning the International Conference on Central American Refugees (CIREFCA) would be discussed by the Friends of the Rapporteur that afternoon; amendments had been proposed to the text.

31. Mr. BENHIMA (Morocco), replying to the Algerian representative's comments, said that, just as the Government of that country was entitled to its own ideas about the number of Sahraoui refugees, he, as representative of the Moroccan Government, had the right to a different opinion. Perhaps there really were 165,000 refugees at Tindouf, but they were not all Sahraouis. As for the misappropriation of assistance for Sahraouis refugees, he was not implicating the Algerian Government but rather the leaders of Polisario who seized a large proportion of the assistance provided by Governments, international organizations and NGOs.

32. Mrs. RUESTA DE FURTER (Venezuela) welcomed the statements of the High Commissioner and his Deputy concerning refugee women and children. Her delegation had already explained its position on the report of the Sub-Committee on Administrative and Financial Matters in the Sub-Committee itself. She was also gratified by the efforts being made by UNHCR to train its personnel.

33. Mr. NORDBY (International Council of Voluntary Agencies) said that the NGOs should be invited to cooperate with UNHCR in identifying the needs of priority groups, namely, refugee children, refugee women, persons facing acute risks to their life or safety, and physically or mentally disabled persons.

34. The International Council welcomed the appointment of the Senior Coordinator for Refugee Children - an idea that had been defended at several previous sessions of the Executive Committee - and considered that donor countries should undertake to provide the means necessary to realize the goals that the Coordinator would set. Priority areas for refugee children included the provision of education early on in emergency situations, the improvement of the quality of health care and psycho-social initiatives aimed at alleviating the effects of war. Efforts must also be made to ensure wide implementation of UNHCR's guidelines on refugee children. The Executive Committee should, at the present session, make recommendations on how UNHCR could facilitate the national and international implementation of the Convention on the Rights of the Child, and he hoped that UNHCR would follow closely the deliberations of the Committee on the Rights of the Child.

35. Steps should also be taken to maximize the implementation of the Guidelines on the Protection of Refugee Women. The International Council called, in particular, on the Executive Committee to make funds available to carry out the training programmes for UNHCR's own staff. Moreover, the Guidelines on the Protection of Refugee Women should be updated to address the particular needs of returnee women and internally displaced women, with whom UNHCR was increasingly becoming involved. UNHCR should also try to increase the protection of women among its own staff, and particularly of women medical staff in the field. Similarly, UNHCR should be encouraged to promote refugee womens' rights in training programmes and ensure that strategies for community mobilization involving women were incorporated in emergency planning.

36. It was gratifying to note that UNHCR was paying greater attention to the role of public information. The new information strategy outlined in the Information Note was an important step and information-sharing with the non-governmental organizations was vital. Unfortunately, the question of liaison with the NGOs was discussed only in a brief and incomplete manner in that

Note. An information structure for operational NGOs should also be envisaged with support from the NGO Liaison Unit, which could ensure that a public information officer was part of any humanitarian emergency operation team set up by UNHCR.

37. A problem common to UNHCR and the NGOs was that the latter often failed to coordinate their activities effectively in the field. It would be desirable for UNHCR to include an NGO coordinator in the field teams of all humanitarian crisis operations.

38. The International Council proposed, with a view to the coordination of humanitarian activities, that the United Nations Secretary-General, through the DHA-UNDRO Office, should take the lead in setting up coordination structures for humanitarian response to all major humanitarian emergency crises. Those coordination structures should include recommendations on a division of labour between all parts of the United Nations system, the country of origin, donors and NGOs. NGOs or groups of NGOs should explicitly define their own roles in relation to the mandates of the United Nations lead agency, designated for every geographical or otherwise defined area of relief efforts, the role of UNHCR and that of ICRC being specifically defined in accordance with their respective mandates. Lastly, the NGOs should form coordinating mechanisms with all local and international NGOs.

39. The International Council welcomed the revision of UNHCR's internal guidelines for educational assistance to refugees. Education and training provided an activity that could be used to promote self-help activities, allow refugees to maintain some self-esteem and directly contribute to successful durable solutions.

40. Mr. AL-KADHI (Observer for Iraq), speaking in exercise of the right of reply, noted that, according to the representative of the Islamic Republic of Iran, there were over 980,000 Iraqi refugees in Iranian territory. He rejected that figure which, in his view, was a complete exaggeration. Moreover, the delegation of the Islamic Republic of Iran had not indicated its sources. Thousands of Iraqi Kurds might well have fled to the Islamic Republic of Iran and Turkey at the time of the Gulf War, but it was a fact that they had all returned to Iraq, as indeed had been confirmed by UNHCR.

41. Mr. JAHROMY (Islamic Republic of Iran), speaking in exercise of the right of reply, pointed out that the figure in question included above all Iraqi refugees who had crossed the frontier during the 1980s. He added that the Iranian authorities had on several occasions invited UNHCR to visit those persons who were in the provinces of Bakhtaran, Khuzestan, Kurdistan and western Azerbaijan.

42. Mr. AL-KADHI (Observer for Iraq), speaking once again in exercise of the right of reply, rejected the affirmation that Iraqis had taken refuge in the Islamic Republic of Iran when the two countries had been at war. On the other hand, when that conflict had broken out the Iraqi Government had been obliged to send back to their country of origin thousands of Iranians who had established their legal domicile in Iraq. Did the Iranian authorities regard those persons, who possessed Iranian nationality, as refugees?

43. Mr. ISHAK (Chairman of the UNHCR Staff Council) drew the Executive Committee's attention to the report on issues of interest to the staff that the Staff Council had submitted on 2 October to the Sub-Committee on Administrative and Financial Matters (E/SC.2/57). It was the Staff Council's duty to make known the views of the staff on the way they were managed and on other aspects of their conditions of service; in that connection the Staff Council had emphasized the importance of maintaining an ongoing process of consultations with the staff and had highlighted the fact that agreements had been reached on most human resources management issues; it had also stressed the need for timeliness in the implementation of those agreements as well as the need for transparency and evenness in the application of all other administrative and personnel policies.

44. It could not be overemphasized that UNHCR staff had the same goals as the Executive Committee, that they were proud of serving the Office of the High Commissioner and that they were jealous about its reputation. The staff wanted to make its contribution to efforts aimed at enhancing UNHCR's ability to fulfil its humanitarian mandate. At the same time they realized that quality, efficiency and emergency-preparedness were increasingly becoming the criteria by which the performance and competence of UNHCR were being judged. However, there were a number of major issues that were of great importance to UNHCR's efficiency; he wished to discuss two of them which were interrelated, namely, staff morale and organizational performance.

45. It was disturbing to note that staff morale was low while UNHCR was showing renewed dynamism, the international community was displaying renewed confidence in it and donor countries were supporting it so energetically. The reasons for low staff morale could be easily identified. For example, when certain groups or individuals seemed to be privileged and particularly favoured, it was inevitable that the vast majority of the rest of the hard-working staff should feel that they were being discriminated against. Above all, a working environment that offered equal training and career opportunities to all staff members, regardless of sex, nationality or grade, was essential. Promises of change and improvement were not enough. The staff needed tangible proof and that was why there was a need for prompt action to implement the agreements reached between the staff and the administration with regard to human resources management issues, including the guidelines on the improvement of the status of women in UNHCR.

46. As for organizational performance, he noted that the significant changes that had occurred in the world required the United Nations system to improve its performance by making internal adjustments, reducing bureaucracy and above all emphasizing efficiency. UNHCR had undeniably made efforts along those lines during the past few years by, for example, gradually adjusting management and administrative practices and investments in upgrading computerized and communication systems, improving the quality of documentation, fine-tuning programme and financial systems, and achieving greater public awareness of UNHCR activities. But had it really tackled the key issues and could it thereby really improve the services offered to refugees?

47. UNHCR had clearly invested much less in the task of upgrading its human resources than in that of modernizing its equipment. Yet the upgrading of human resources called for long-term investment, and it was obvious that UNHCR should improve the planning of those resources and offer its staff equitable career possibilities. Improvement of the conditions of service of the 3,000 UNHCR staff members, both women and men, at headquarters as well as in the field, was the key factor in improving organizational performance and could have a real impact on the quality of the services provided to refugees.

48. It was high time to take the necessary steps to adjust human resources management strategies because failure to do so would mean that UNHCR would never be able to react effectively in the emergency situations that occured on an unprecedented scale in today's world. The staff and administration had reached agreements on the needed directions for organizational improvement and they had been elaborated upon in numerous studies. What remained to be done was to initiate a strategic planning process that would bring about their implementation.

49. All those concerned should cooperate in making UNHCR a body that genuinely valued its human resources, particularly at a time when the contribution of each and every staff member was vital. The staff had spared no effort and was committed to supporting the efforts that would be made in meeting the difficult challenges of the post-cold war era.

50. Lastly, he drew the Committee's attention to the fate of his colleagues who had lost their lives in the performance of their functions on behalf of refugees.

51. On the proposal of the Chairman, the members of the Committee observed a minute of silence in tribute to the memory of members of the staff of the Office of the United Nations High Commissioner for Refugees who had lost their lives in the line of duty.

52. Mr. STAFFORD (Deputy United Nations High Commissioner for Refugees), referring to the suggestions and observations made by various speakers, assured the representative of Mexico that the UNHCR secretariat would endeavour to collect the necessary data concerning the indirect contributions made by asylum countries to activities on behalf of refugees and would report its findings. It would not, however, be easy to determine how that contribution could be used as an element in making comparisons and evaluations.

53. The Danish delegation, among others, had referred to and supported the increase in the indicative planning figure for General Programmes. It should be borne in mind that preparation of the documents under consideration had began in April for the annual session that took place in Autumn, and that the new amounts indicated corresponded to requirements identified at the time. It was admittedly difficult to understand how the programme budget of a body could increase from $550 million to $1 billion in the space of a year but it was no easier to engage in strategic crisis management planning. In any

event, the UNHCR secretariat was prepared to reply to any question that might be raised by delegations at subsequent meetings of the Sub-Committee on Administrative and Financial Matters or at any extraordinary meeting that might have to be convened for that purpose.

54. He had listened with keen interest to the observations of the representative of the International Council of Voluntary Agencies. His points concerning the coordination of humanitarian assistance raised the question of the division and the succession of the responsibilities shouldered by the various partners, namely, the Department of Humanitarian Affairs, countries of origin, asylum countries, UNHCR and the NGOS - a question that Governments should consider and settle in the framework of the reforms being carried out in the United Nations system.

55. He had taken good note of the observations of the representatives of Morocco and Algeria who had raised the question of political solutions. One idea to which all delegations present at the Executive Committee's forty-third session could subscribe was that it was absolutely necessary to find a political solution to continuing refugee problems.

56. He agreed that the reduction and assignment of staff, the increasing number of emergency situations and UNHCR's difficulties had not been easy for UNHCR staff to accept, and that they continued to pose problems. He endorsed the observations of the Chairman of the Staff Council, except as regards staff morale which he found excellent in general, both at headquarters as well as in the field, and he took the opportunity to thank the entire staff of UNHCR for its devotion.

57. Mr. WALZER (UNHCR Secretariat) said that the deliberations of the Sub-Committee on Administrative and Financial Matters had, throughout 1990, been a great source of encouragement for himself as well as for his colleagues. He was a firm believer in the virtues of dialogue with Governments and was prepared, at the Sub-Committee's meetings, to go into greater detail on the points raised during the discussions at the forty-third session.

58. The CHAIRMAN submitted to the Executive Committee for approval the country/area General Programmes target as well as the 1993 General Programmes global estimates amounting to US$ 378,249,000, including $20 million for the Emergency Fund, as indicated in Parts I to VI of document A/AC.96/793. In the absence of any objections, he would consider that the Executive Committee approved those amounts.

59. It was so decided.

60. The CHAIRMAN said that the other points concerning administrative and financial questions would be examined when the Executive Committee adopted its report on the work of its forty-third session. He noted that the Executive Committee had completed its consideration of agenda item 5.

The meeting rose at 12.05 p.m.

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SUMMARY RECORD OF THE 479th MEETING

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on Friday, 9 October 1992, at 10 a.m.

Chairman: Mr. LANUS (Argentina)

CONTENTS

Review of UNHCR programmes financed by voluntary funds in 1991-1992; adoption of the 1993 General Programmes and budget (continued)

Consideration of the provisional agenda of the forty-fourth session of the Executive Committee

Any other business:

Government observer participation in the work of the Sub-Committees and the informal meetings of the Executive Committee in 1993

Adoption of the draft report of the forty-third session

Closure of the session

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GE.92-02919 (E)

The meeting was called to order at 10.45 a.m.

REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1991-1992; ADOPTION OF THE 1993 GENERAL PROGRAMMES AND BUDGET (agenda item 5 (a)) (continued) (A/AC.96/793)

1. Mr. SAFAEE (Iran), referring to the exchange of views he had had with the observer for Iraq at the 478th meeting, said that there were hundreds of thousands of Iraqi refugees in Iran, most of whom had Iraqi identity cards. UNHCR had access to those refugees, who benefited from assistance programmes. That was a fact about which there was no doubt, contrary to what the observer for Iraq had said.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-FOURTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 6) (A/AC.96/XLIII/CRP.1)

2. The CHAIRMAN said that the draft agenda of the forty-fourth session of the Executive Committee was contained in document A/AC.96/XLIII/CRP.1.

3. The draft agenda of the forty-fourth session of the Executive Committee was adopted.

ANY OTHER BUSINESS (agenda item 7):

OBSERVER GOVERNMENT PARTICIPATION IN THE WORK OF THE SUB-COMMITTEES AND THE INFORMAL MEETINGS OF THE EXECUTIVE COMMITTEE IN 1993 (A/AC.96/XLIII/CRP.2)

4. The CHAIRMAN said that the Executive Committee had decided in 1988 that observers could take part in the work of the Sub-Committees and the informal meetings of the Executive Committee if they so requested at a meeting of the Executive Committee. On the basis of the requests received, the Secretariat had thus issued document A/AC.96/XLIII/CRP.2, which contained a list of States which had made such requests. Costa Rica, El Salvador, Myanmar and Zimbabwe should be added to the list. If he heard no objection, he would take it that the countries listed and the four other countries he had just named would be able to take part in the work of the Sub-Committees and the informal meetings of the Executive Committee in 1993.

5. It was so decided.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-THIRD SESSION (agenda item 8) (A/AC.96/XLIII/CRP.3)

6. Mr. GUBARTALLA (Sudan), Rapporteur, said that document A/AC.96/XLIII/CRP.3, which contained the draft report of the forty-third session of the Executive Committee, was the result of long hours of work and collaboration by the friends of the Rapporteur, who had displayed a spirit of cooperation and dedication and made constructive proposals. That laboriously drafted report now deserved to be adopted.

7. Mrs. RUESTA de FURTER (Venezuela) said she realized that a great deal of work had gone into the draft report, but she was surprised that the section on refugee women was contained in chapter III.H.3., nearly at the end, although

the question had been discussed at length in the Sub-Committee of the Whole on International Protection. That question should, rather, be dealt with in chapter III.A.2. following the general conclusion on international protection. The subsequent sections would be renumbered accordingly.

8. Mr. GUBARTALLA (Sudan), Rapporteur, said that, during the drafting of the report, there had been no objection to the suggestion that the question of refugee women should be dealt with in chapter III.H.3.

9. Mrs. GALVIS (Colombia) said she thought that there was a good reason for the request by the representative of Venezuela: the question of refugee women had been discussed in the Sub-Committee of the Whole on International Protection and referring to it in the place proposed by the representative of Venezuela would simply reflect reality.

10. Mrs. DRADI (Italy) said that the question of refugee women had been discussed by both of the Sub-Committees of the Executive Committee. She proposed that the decisions on refugee women and refugee children should be included in a new section H of chapter III of the report, with the rest of the present section H becoming section I.

11. Mrs. RUESTA de FURTER said that she could agree to that solution in a spirit of compromise, but, at the next session, she would like that question to be reflected in the report of the work of the Sub-Committee of the Whole on International Protection.

12. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee agreed to the suggestion that the decision on refugee women and that on refugee children should be included in a separate section H of chapter III which would come between the conclusion on the former Yugoslavia and the decisions on programme, administrative and financial matters.

13. It was so decided.

14. Mr. KHOURY (Syrian Arab Republic) said that, in paragraph 21 (h), it was proposed that the Executive Committee should express "concern about the lack of adequate international protection for various groups of refugees in different parts of the world, including a large number of Palestinians ...". In his view, no such distinction should be made between Palestinians: they were one and the same people and must be protected on the basis of international law. The foreign aggression and occupation to which that people was being subjected were among the causes of the emigration to which reference was being made: that should be the starting point.

15. Mr. LUONG (Observer for Viet Nam) noted that, in paragraph 26 (e), it was stated that the Executive Committee "Looks forward to the convening of future meetings of the Steering Committee of the Comprehensive Plan of Action ...". That wording in English reflected the Executive Committee's views and a better translation in French should therefore be found.

16. The CHAIRMAN assured the observer for Viet Nam that the French translation would be improved to take account of his comment.

17. Mr. IBRAHIM (Sudan) said that he would like the penultimate line of paragraph 25 (b) of the conclusion on the refugee situation in Africa to refer to "the affected populations of Africa".

18. The CHAIRMAN assured the representative of the Sudan that the text would be amended accordingly.

19. Mr. KASTBERG (Sweden) said that, during the preparation of the draft report, it had been agreed that, in paragraph 21 (p), the words "in the areas which are" and the comma before the words "as appropriate" should be deleted and that, in paragraph 28 (d), the word "complement" should be replaced by a comma and the word "and" after the words "in the region" should be deleted.

20. Mr. PANG Sen (China) recalled that paragraph 28 related to the International Conference on Central American Refugees, which had been organized mainly by Governments and international organizations. It would therefore be more logical if paragraph 28 (d) referred first to Governments and international organizations and then to non-governmental organizations. The phrase in question would thus read: ... "to ensure that the efforts of Governments and international organizations, as well as the activities of NGOs, in the region are ...".

21. Mr. GUBARTALLA (Sudan), Rapporteur, said that it had been agreed that the changes indicated by the representative of Sweden should be made. He also had no objection to the amendments proposed by the representatives of China and the Sudan. During the drafting of paragraph 21 (q), it had been questioned whether reference should be made to the Secretary-General of the United Nations, a point of law which had just been confirmed by the UNHCR secretariat. The paragraph should therefore read: "... on the basis of specific requests from the Secretary-General and the competent principal organs ...".

22. Mr. JURY (United States of America) said he found that that wording implied that the Secretary-General was not authorized to make specific requests without the approval of the competent organs, but that was not the case. The paragraph should therefore read: "... specific requests from the Secretary-General or ...".

23. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the amendments proposed by the representatives of Sweden (para. 21 (p); para. 28 (d)), China (para. 28 (d)) and the Sudan (para. 25 (b)), as well as the correction indicated by the Rapporteur (para. 21 (q)), as amended by the representative of the United States.

24. It was so decided.

25. Mr. WINGA (Observer for Malawi) said that the conclusion on the refugee situation in Africa (para. 25) should refer to the fact that agreement had recently been reached on the peace accord between the Government of Mozambique and RENAMO and invite the High Commissioner to facilitate the voluntary repatriation and reintegration of Mozambican refugees.

26. The CHAIRMAN said that the representatives of States which had observer status, such as Malawi, did not have the right to propose amendments. That right was enjoyed only by the delegations of the member States of the Executive Committee.

27. Mrs. MREMA (United Republic of Tanzania) said that she agreed with the very pertinent comment by Mr. Winga. She therefore proposed that the following new subparagraph (i) should be added to paragraph 25:

> "(i) Notes with deep appreciation the recent agreement on the peace accord between the Mozambican Government and RENAMO and calls upon the High Commissioner to promote and facilitate the voluntary repatriation and reintegration of the Mozambican refugees back into their society".

28. Mr. JURY (United States of America) said that he could agree to that proposal if the words "when appropriate, consistent with the principle of return in safety and dignity", were added after the words "voluntary repatriation".

29. Mr. ITHETE (Namibia) said that he supported the Tanzanian proposal, as amended by the representative of the United States.

30. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the Tanzanian proposal (para. 25), as amended by the representative of the United States.

31. It was so decided.

32. Mr. UKAWA (Japan), drawing the Executive Committee's attention to paragraph 31 (b), which referred to the High Commissioner's appointment of an Environmental Coordinator, said that the Coordinator's mandate did not specifically say: "as well as for undertaking further study of the impact on the environment caused by the presence of large numbers of refugees", a study which the countries concerned no longer needed at the present time. He therefore proposed that those words should be replaced by the words "with particular attention to the impact on the environment caused by the presence of large numbers of refugees ...".

33. The CHAIRMAN said it was true that the mandate in question did not refer to such a study. If he heard no objection, he would take it that the Executive Committee adopted the proposal by Japan (para. 31 (b)).

34. It was so decided.

35. Mrs. GALVIS (Colombia) said that she would formulate reservations to some paragraphs of the general conclusion on international protection after the draft report had been adopted by the Executive Committee.

36. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the draft report of the forty-third session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, as a whole, as amended.

37. Document A/AC.96/XLIII/CRP.3, as a whole, as amended, was adopted.

38. Mrs. GALVIS (Colombia) said that, for the sake of consensus and discipline, her country had agreed to the report which had just been adopted, although it was still concerned about some parts, especially chapter III.A (General conclusion on international protection) and, in particular, paragraph 21 (p), (q) and (s). UNHCR's mandate seemed very elastic and therefore likely to be exceeded. While it was important for UNHCR to focus on prevention and finding durable solutions, that focus was still being discussed by the member States and, in 1991, the Working Group on International Protection had concluded that UNHCR's mandate could not be extended to categories such as persons who had become refugees as a result of natural disasters, internally displaced persons, stateless persons and economic refugees.

39. In paragraph 21 (s), it would have been better to delete the words "from the outset of a refugee problem" or to make it clear that, although voluntary repatriation was indeed the best solution, UNHCR's main task was, from the outset of a refugee problem, to give the refugees international protection and not to try to repatriate them. Those were her country's reservations.

40. Mrs. RUESTA de FURTER (Venezuela) proposed that, at the Executive Committee's next session, the Rapporteur and his friends should be given the table of contents of the Executive Committee's draft report, as prepared by the secretariat, so that they might have a better idea of the Committee's priorities.

CLOSURE OF THE SESSION (agenda item 9)

41. Mr. ROHDIN (Sweden) said that his first impression of the current session of the Executive Committee was that, in a rapidly changing world, UNHCR was working with determination to find new solutions in order to respond more adequately to the needs of millions of refugees, as could be seen from the efforts being made by the High Commissioner and by the integration in UNHCR programmes of concerns for refugee women and children. Practical preventive approaches across borders were being implemented in order to improve UNHCR's immediate-response capacity to refugee problems, thereby avoiding the uprooting of many persons. The mutual effects of environmental deterioration and refugee flows would continue to be taken into account and the concern to give refugees a life of dignity after emergency relief had been provided had also been placed on the agenda.

42. His second impression was that the Executive Committee had not tried to evade its responsibilities and that it was quite dynamic. The decisions that had been taken would require a number of inter-sessional meetings during the year, since the management of UNHCR had become an ongoing process covering a broad range of issues and new situations. As a matter of priority, it had been decided that flexible funding mechanisms had to be found so that new needs that would arise in 1993 could be met in an effective manner.

43. His third impression was that, as a result of the current session, it could be concluded that UNHCR had a determined, dynamic and forward-looking leadership and a devoted staff, six members of whom had lost their lives in the course of their duties in 1992.

44. What had been achieved was not a point of arrival, but a new point of departure. The spirit of partnership between Government representatives, NGOs and the staff of UNHCR held out hope for continued improvements. No one knew what would happen in 1993, but UNHCR had to be ready for any eventuality. It could count on Sweden's strong support.

45. Mr. ABRAM (United States of America), paying a personal tribute to Mrs. Ogata, said that the world today, with modern means of communication and a population of nearly 6 billion, was dramatically different from the world in 1951, when the population had been only 2.5 billion and there had been 2 million refugees, as compared with 17 million now. During that time, the nature and reasons for migration had become more difficult to discern: they might include individual persecution, political instability, human rights violations, civil wars, poverty, overpopulation, environmental degradation or natural disasters. Human beings were such that the more they learned about the other side of the mountain, the greener the grass seemed.

46. Refugees often had mixed motives for their flight. The machinery established by the 1951 Convention was therefore expected to cope with mass influxes of people who individually might not have a well-founded fear of persecution on account of their race, religion or membership of a particular social or political group, as stated in the 1951 Convention definition.

47. Some countries with histories of welcoming immigrants were now resisting migrations and a few had even closed their borders. They were wary of granting asylum to one person when his entire village might follow. No country wanted to face the thorny question of deportation. The motives and rationales of countries that closed their doors were nearly as complex as those of the ones that were knocking.

48. Mixed-motive migration demanded innovative and integrated responses. In her Note on International Protection, Mrs. Ogata had acknowledged the complexity of those problems and taken the first steps towards solving them. UNHCR's commendable efforts in the later stages of refugee flows were a further example of the type of inter-agency coordination that was needed. In the Yugoslav crisis, for example, UNHCR had worked closely with ICRC and UNPROFOR.

49. Other responses, such as UNHCR's call for temporary protection for refugees from the former Yugoslavia, reflected the flexibility that was required in order to respond to the complex needs of some groups.

50. As Mr. Boutros Boutros-Ghali had pointed out, there was a dynamic link between peacemaking, peace-keeping and humanitarian assistance. The establishment of the Office of Humanitarian Affairs in New York was a step towards inter-agency cooperation during the prevention-to-relief-to-development spectrum of assistance. An inter-agency plan designed to operate in mixed-motive circumstances of flight could look at the root causes of

flight, hold the persecutors accountable, help resettle refugees who could not return home and provide assistance to rebuild institutions and homes once the crisis was over. Of course, whatever was done must, in the final analysis, be within the competence and political possibilities of the member States.

51. The measures taken to deal with today's crises would set a precedent for the crises of tomorrow. UNHCR must therefore be able to adapt to increasingly complex developments.

52. Mrs. OGATA (United Nations High Commissioner for Refugees) said she had listened with great interest to everything that had been said at the current session, particularly in the last two statements. She was very grateful to the Executive Committee for its firm support for UNHCR's activities and welcomed the large number of delegations, which included many host countries, some taking part for the first time. She also welcomed the increasingly larger number of donors and expressed appreciation to sister organizations for their constructive cooperation. UNHCR was being called upon to play a front-line role in humanitarian crises and needed everyone's help more than ever.

53. The staff of UNHCR was increasingly being called upon to work in conditions of insecurity and anarchy, which would, in the past, have made it give up. She therefore paid a tribute once again to the courage and dedication of the staff.

54. Increased responsibility also meant greater scrutiny. UNHCR therefore had to improve as it innovated in order to deal with new situations. That had been the reason for the submission of the Note on International Protection and she welcomed the way in which that document had been received. She had taken note of the constructive comments made by a number of delegations on improvements in programme implementation and management capacity. That was a vitally important area.

55. The forty-third session of the Executive Committee had been very successful, thanks to the cooperation of all. The real work was done in the field, but the Executive Committee's support would strengthen the morale of UNHCR's staff and its ability to meet new challenges.

56. The CHAIRMAN, welcoming the confidence that the observers and the members of the Executive Committee had shown in Mrs. Ogata, said that the world now faced new and unpredictable situations that were creating considerable problems for UNHCR, both logistically and legally and politically. In the past few years, population displacements had been increasing.

57. The three most important fronts on which UNHCR had to fight were Afghanistan, which had over 5 million refugees, the former Yugoslavia, where over 2.7 million persons were affected by the war and winter was likely to cause many victims, and Mozambique, which 2 million inhabitants had already left and which had 4 million displaced persons. There was no doubt that world public opinion must be made more aware of that situation. In conclusion, he invited delegations never to forget that UNHCR had the specific task of providing assistance to persons in the most dreadful conditions possible.

58. He declared closed the forty-third session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees.

The meeting rose at 12.25 p.m.